city with the Corporation, State Governments and their agencies, owned and hired taken together, is adequate to meet this additional storage requirement also.

(b) A capacity of 7.4 lakh tonnes is under construction by the Food Corporation of India at different centres. This capacity is expected to be completed by 31.3.1990. The construction of this capacity is being financed by the Government through release of funds to the Corporation as budgetary support.

Implementation of Essential Commodities Act

2954. SHRI RAM AWADHESH SINGH: Will the Minister of FOOD AND CIVIL SUPPLIES be pleased to state:

(a) whether some representations have been received with regard to undue hardships and harrasment caused to the honest traders on account of the special provisions under the Essential Commodities Act which make all offences, minor and major non bailable;

(b) whether appellate jurisdiction has been transferred to the executive in place of the judiciary adding to arbitrariness in contravention of laws of natural justice and common law of jurisprudence;

(c) if so, the number of persons prosecuted/jailed, State-wise and year-wise for the past three years; and

(d) whether Government propose to make amendments in the Act on the basis of various representations and its own experience so that this Act is not used as a lever for extortion of bribes and increase in corruption?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF FOOD AND CIVIL SUPPLIES (SHRI H. K. L BHAGAT): (a) to (d) Yes, Sir. Some representations have been received suggesting that offences, under the Essential Commodities (Special Provisions) Act, 1981 be made bailable and that the appellate jurisdiction should lie before a judicial authority and not the State Governments.

The Essential Commodities (Special Provisions) Act, 1981 came into force with effect from 1.9.82 for a period of five years, which has now been extended for a further period of five years with effect from 1.9.87 by an Act of Parliament, namely, Essential Commodities (Special Provisions) Continuance Act, 1987 At the time of the extension of this Act in August, 1987, the representations received were duly considered.

No proposal for amending the Essential Commodities Act is under consideration.

A statement indicating the number of persons prosecuted/jailed, State-wise and year-wise for the past three years is enclosed.

Statement

Number of persons prosecuted for violation of provisions of Essential Commodities Act during the period 1984, 1985 *and* 1986

Sl. No.	States/UTs	Number of persons prosecuted		
		1984	1985	1986
1.	Andhra Pradesh	142	476	444
2.	Assam	29	57	92
3.	Arunachal Pradesh	4	55	..
4.	Bihar	217	61	..
5.	Gujarat	651	179	87
6.	Haryana	37	8	2
7.	Himachal Pradesh	2	..	..
8.	Jammu & Kashmir	110	294	197
9.	Karnataka	309	387	286
10.	Kerala	1	1	8
11.	Madhya Pradesh	167	172	180
12.	Maharashtra	93	106	63
13.	Manipur	..	1	..
14.	Meghalaya	NIL		
15.	Nagaland	NIL		
16.	Orissa	158	55	63
17.	Punjab	9	6	4
18.	Rajasthan	73	333	92
19.	Sikkim	..	..	1
20.	Tamil Nadu	400	32	390
21.	Tripura	9	5	9
22.	Uttar Pradesh	1590	1352	1263
23.	West Bengal	852	829	866
24.	A. & N. Islands	41	82	104
25.	Chandigarh	..	..	..
26.	D. & N. Haveli	..	..	1
27.	Delhi	89	95	63
28.	Goa Daman & Diu	2	9	5
29.	Lakshdweep	NIL		
30.	Mizoram	NIL		
31.	Pondicherry	15	27	43
	TOTAL :	5000	4622	4263